

**AGENDA
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING JUNE 4, 2014 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD
PLEASE TURN OFF ALL ELECTRONIC DEVICES DURING MEETING
THANK YOU.**

(The Town of Edgewood Council is pleased to have residents of the community take time to attend Council Meetings. Attendance and participation is encouraged. Individuals wishing to be heard during Public Hearing proceedings are encouraged to be prepared. **PUBLIC COMMENTS ARE EXPECTED TO BE CONSTRUCTIVE AND DEVOID OF CHARACTER ASSASSINATION.** Written comments are welcomed and should be given to the Clerk-Treasurer prior to the start of the meeting).

- **CALL TO ORDER.**
- **PLEDGE OF ALLEGIANCE.**
- 1. APPROVAL OF AGENDA.**
- 2. APPROVAL OF CONSENT AGENDA.**
 - A. Approval of the Regular Council Meeting Minutes of May 21, 2014.
 - B. Acknowledge Receipt of the Planning & Zoning Commission Meeting Minutes of May 20, 2014.
- 3. MATTERS FROM THE MAYOR.**
- 4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.**
- 5. MATTERS FROM THE ATTORNEY.**
- 6. MATTERS FROM THE MUNICIPAL JUDGE.**
 - A. Judge White will present his report for the month of May, 2014.
- 7. PUBLIC COMMENTS OF GENERAL MATTERS. Limit to 2 minutes per person.**
- 8. CALL FOR PUBLIC INPUT.**
 - A. Proposed Ordinance No. 2014-04 An Ordinance Providing for the Appointment of an Alternate Municipal Judge.
- 9. RESOLUTIONS.**
 - A. Resolution No. 2014-09. A RESOLUTION AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY.
- 10. MATTERS FROM THE ADMINISTRATOR.**
 - A. Introduction of Equipment Operator – Armando Urias.
 - B. Status of Chamber of Commerce.
 - C. Award of Request for Proposals – Asset Management Plan & Service.
 - D. Discussion and Review of ICIP.
 - E. Approval of Inmate Confinement Agreement.
- 11. CALL FOR PUBLIC INPUT ON NOTICE OF INTENT TO ADOPT.**

A. 2016-2020 Infrastructure Capital Improvement Plan (I.C.I.P.)
(Council Meeting of July 2, 2014)

12. ANNOUNCEMENTS and/or CALENDAR REVIEW.

A. Regular Council Meeting – June 18, 2014 @ 6:30 P.M.

B. Regular Council Meeting – July 2, 2014 @ 6:30 P.M.

13. FUTURE AGENDA ITEMS.

A. Public Input for Proposed Zoning and Sub-Division Ordinances (July 2, 2014 Council Meeting)

B. Notice of Intent to Adopt the ICIP (July 2, 2014 Council Meeting)

14. ADJOURN.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Clerk at the Town Offices located at 1911 Historic Route 66, at least five (5) days prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact the Town Clerk at (505)286-4518, or by e-mail at clerk@edgewood-nm.gov if a summary or other type of accessible format is needed. The complete council packet may be viewed on the web, visit www.edgewood-nm.gov click on Agendas, Meetings & Minutes.

**MINUTES
TOWN OF EDGEWOOD
REGULAR COUNCIL MEETING – MAY 21, 2014 @ 6:30 P.M.
EDGEWOOD COMMUNITY CENTER - #27 E. FRONTAGE ROAD**

• **CALL TO ORDER.**

Mayor Hill called the meeting to order at 6:30 PM.

Councilors Present: Chuck Ring, Sherry Abraham, Rita Loy Simmons, and John Abrams.

Also present was: Mr. Bob White, Town Attorney; Ms. Kay Davis McGill, Administrator; and Ms. Estefanie Muller, Clerk-Treasurer.

• **PLEDGE OF ALLEGIANCE.**

At this time Mayor Hill recognized candidates for the upcoming June Primary Election. Candidate for Probate Judge, Shannan Bulman, introduced herself and addressed issues. Candidate for District Court Judge, Matthew Wilson, introduced himself and addressed issues. Candidate for County Assessor, Phillip Pacheco, introduced himself and addressed issues.

1. APPROVAL OF AGENDA.

MOTION: Councilor Ring made a motion to approve the Agenda. Councilor Abrams seconded the motion.

VOTE: Councilor Abraham voted aye. Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

2. APPROVAL OF CONSENT AGENDA.

A. Approval of the Regular Council Meeting Minutes of May 7, 2014.

B. Approval of the Library Board Meeting Minutes and Library Report for the month of April, 2014

MOTION: Councilor Simmons made a motion to approve the Consent Agenda with discussion on Item B. Councilor Abrams seconded the motion.

Councilor Simmons stated she hoped there was room in the budget to accommodate some of the Library's requests for replacement of equipment and software. Councilor Abrams offered a friendly amendment to go ahead and approve Item B along with the Consent Agenda.

MOTION: Councilor Abrams made a motion to approve the Consent Agenda with the amendment. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Councilor Abraham voted aye. The motion carried.

3. MATTERS FROM THE MAYOR.

A. Appointment of Animal Welfare Advisory Committee.

Mayor Hill stated due to the passing of the Bond Issue regarding the Animal Welfare Facility, he would like to bring forward the forming of an Animal Welfare Advisory Committee. Mayor Hill stated he has asked Susan Simons to head this committee, and to search for appropriate members, he also announced to Council and the public if anyone is interested in serving in this capacity. Mayor stated anyone interested to please follow up with him or the Town Office.

B. Alternate Judge for Municipal Court.

Mayor Hill stated the Ordinance is still being drafted and will be brought forward soon.

C. Letter of Agreement regarding Mesalands Community College.

Mayor Hill stated there is a draft of the Letter of Agreement in the packet, it has been reviewed by the Town Attorney, and he wanted to make sure there is consensus with Council before proceeding. Councilor Ring asked when representatives would be attending a Council Meeting, Mayor Hill stated it would depend on if this moves forward. Councilor Abrams stated he would like more information.

MOTION: Councilor Ring made a motion to approve the Letter of Agreement with Mesalands Community College. Councilor Abraham seconded the motion.

VOTE: Councilor Abraham voted aye. Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted nay. The motion carried.

D. Public Acknowledgement of Smith's Participation on Clean-Up Saturday.

Mayor Hill stated he wanted to publicly acknowledge the 16 participants for the Town Clean up, which was a better turn out than in prior years. Mayor Hill stated part of this success was due to employees of Smith's really sharing in the work and providing refreshments, and going above and beyond in this regard. Mayor Hill asked staff to draft a letter of appreciation, to be signed by himself and the Council if there are no objections. Councilor Ring requested the letter be framed as well.

E. Request from P.T.O. to Lease Electronic Sign.

Mayor Hill stated the Town has received a request from the Edgewood Elementary P.T.O. they would like for the Town to lease their electronic sign as it must be removed from school property. The P.T.O. would like the sign to benefit the community and would like to entertain discussion with to the Town of Edgewood regarding possible lease of the sign. Mayor Hill asked for consensus to move forward with discussions.

F. Discussion of Establishing a Parks and Recreation Advisory Committee.

Mayor Hill asked for consensus to bring forward with a policy statement.

G. Mayoral Proclamation. Czech Republic and Slovakia Route 66 Day.

Mayor stated he has received a proclamation, and apologized that it didn't make it onto the Agenda. Mayor Hill then read the Proclamation, recognizing May 25th, 2014 as "Czech Republic and Slovakia Route 66 Day".

MOTION: Councilor Simmons made a motion to approve the Mayoral Proclamation regarding "Czech Republic and Slovakia Route 66 Day". Councilor Abraham seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Councilor Abraham voted aye. The motion carried.

4. MATTERS FROM THE COUNCILORS and/or ANNOUNCEMENTS.

A. Photo Voter ID requirement – Councilor Chuck Ring.

Councilor Ring discussed the request to consider passing a Photo Voter ID Ordinance. Upon investigation into what this would require it was discovered that a Municipal form of Government cannot do this, it is only Home Rule or Charter forms of Government that can. Councilor Ring stated he would like to see a Resolution from the Town of Edgewood to the State asking them to pass this into law.

Councilor Abraham announced there will be a **Bake Sale** this Saturday at Walgreens, to raise money for “Relay for Life”. Council and staff will be baking for this event.

Councilor Abrams stated now that there is a Parks and Recreation Director and discussion of establishing a committee he would really like the trails to be addressed and finished. He further stated he has noticed during the last few cycles, that Council’s documentation has not been arriving through email or via the web in as timely a fashion as he would like to see it. He would like to have what is available when the preliminary comes out as to allow Council to have proper time to review before upcoming meetings.

Mayor Hill stated with regard to the trails, Mr. Holden has been tasked with them and the Mayor has made sure this is his priority. Councilor Ring stated he would like our Road Department to do any work on the trails that required the running of equipment.

Councilor Abrams stated the Health Planning and Policy Commission has approved the plan for community and public health for the County, this plan is currently posted on the County’s website. The Health Planning and Policy Commission is currently working on the financial aspects of the plan. Councilor Abrams then discussed part of what this plan entails.

5. EDI PRESENTATION – Preliminary Plan for the Police Department and Animal Control Facility.

Michael Ryan and Kent Beierle presented a lay-out of the proposed Animal Control and Police Department facility.

The next phase is for mechanical engineering and the geotechnical testing needs to be done. Mayor Hill stated he would like to begin construction by the end of summer and completed by winter.

6. MATTERS FROM THE ATTORNEY.

None

7. TOWN OF EDGEWOOD POLICE REPORT – Chief Radosevich.

A. Police Report and Animal Control Report for the month of April, 2014.

Chief Radosevich reviewed his report for the month of April, 2014. Chief thanked Susan Simons for all her help with the Animal Control Facility. He thanked the Mayor Hill, Ms. Davis-McGill, Councilor Ring, and Councilor Simmons for attending the formal Police Inspection on Saturday. Mayor Hill stated he really commends the officers, they really took pride in the event, and so did he. He would like to see this become an annual event done during "Law Enforcement Memorial Week". Chief Radosevich also informed Council, the new law enforcement vehicles would be on the street by the end of the week. The Police Department is starting some neighborhood watch programs, officers are being assigned to different areas, and they will also be hosting "Family Movie Nights" at the athletic field. Chief Radosevich also informed Council, the Animal Control would have a booth for adoptions during the bake sale hosted by Walgreens.

8. CALL FOR PUBLIC INPUT.

- A. Consideration to adopt Zoning Ordinance No. 2014-02 during the Council Meeting of July 2, 2014.
- B. Consideration to adopt Sub-Division Ordinance No. 2014-03 during the Council Meeting of July 2, 2014.

Mayor Hill stated he would like to schedule Ordinance No. 2014-02, and Ordinance No. 2014-03 for adoption at the Council Meeting of July 2, 2014. Planning and Zoning will have a preliminary review of the ordinances at the Planning and Zoning Meeting of June 3, 2014. Mr. White stated the property owners will need to be notified of the zone change from R-2 to R-1.

MOTION: Councilor Abrams made a motion to call for Public Input on Ordinance No. 2014-02 and Ordinance No. 2014-03 for the Meeting of July 2, 2014. Councilor Ring seconded the motion.

VOTE: Councilor Abraham voted aye. Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

9. PUBLIC COMMENTS OF GENERAL MATTERS. Limit to 2 minutes per person.

Ms. Susan Simons requested a pdf of the exterior design of the Animal Control/Police Department facility be posted on the Town website.

10. MATTERS FROM THE ADMINISTRATOR/PLANNER.

- A. Approval to hire Equipment Operator.

Ms. Davis McGill stated an offer had been made to one of the gentleman who applied for the Equipment Operator position. This applicant had over 20 years of experience with the Gas Company of New Mexico, he also has experience with the safety procedures and policies. He lives in the Town of Edgewood and is currently commuting to his job in Texas.

MOTION: Councilor Ring made a motion to Armando Urias as the Equipment Operator. Councilor Simmons seconded the motion.

VOTE: Councilor Abrams voted aye. Councilor Simmons voted aye. Councilor Ring voted aye. Councilor Abraham voted aye. The motion carried.

B. Status Update on Speed Limit Study.

Ms. Davis McGill stated she had contacted MRCOG & GIS, they will set up equipment and have more information within the next three weeks.

11. APPROVAL OF THE FINANCIAL REPORT FOR THE MONTH OF APRIL, 2014.

Mayor Hill and Council discussed the possibility of placing a franchise tax on pipelines. This will be discussed further in the future.

MOTION: Councilor Simmons made a motion to approve the Financial Report for the month of April 2014. Councilor Ring seconded the motion.

VOTE: Councilor Abraham voted aye. Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

12. REVIEW, DISCUSSION AND APPROVAL OF INTERIM BUDGET FOR SUBMISSION TO THE DEPARTMENT OF FINANCE & ADMINISTRATION FOR FISCAL YEAR 2014-15.

The line items were reviewed. Council discussed revision of pay scale plan in the future. Council requested EVEDA, EBRA expenditures be included in the Economic Development account code.

MOTION: Councilor Simmons made a motion to approve Interim Budget for submission to the Department of Finance & Administration for fiscal year 2014-2015. Councilor Ring seconded the motion.

VOTE: Councilor Abraham voted aye. Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

13. ANNOUNCEMENTS and/or CALENDAR REVIEW.

A. Regular Council Meeting – June 4, 2014 @ 6:30 P.M.

B. Regular Council Meeting – June 18, 2014 @ 6:30 P.M.

Mayor Hill stated he will not be at the meeting of June 18, 2014, as he will be in Washington on Town Business.

NOTE: The Town Hall offices will be closed on Monday, May 26, 2014 in observance of Memorial Day.

14. FUTURE AGENDA ITEMS.

None.

15. CLOSED SESSION.

As per motion and roll call vote, pursuant to NMSA 1978, 10-15-1 (H)(7) the following will be discussed in Closed Session.

- Pending Litigation

MOTION: Councilor Abrams made a motion to go into Closed Session to discuss Pending Litigation. Councilor Ring seconded the motion.

VOTE: Councilor Abraham voted aye. Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

MOTION: Councilor Abrams made a motion to come back into Open Session. Councilor Ring seconded the motion.

VOTE: Councilor Abraham voted aye. Councilor Ring voted aye. Councilor Simmons voted aye. Councilor Abrams voted aye. The motion carried.

Councilor Abrams affirmed only Pending Litigation Matters were discussed during Closed Session, and no action was taken.

Mayor Hill affirmed only Pending Litigation Matters were discussed during Closed Session, and no action was taken.

Councilor Abraham affirmed only Pending Litigation Matters were discussed during Closed Session, and no action was taken.

Councilor Ring affirmed only Pending Litigation Matters were discussed during Closed Session, and no action was taken.

Councilor Simmons affirmed only Pending Litigation Matters were discussed during Closed Session, and no action was taken.

16. ADJOURN.

MOTION: Councilor Simmons made a motion to adjourn the meeting. Councilor Abraham seconded the motion.

VOTE: All Councilors voted aye.

Mayor Hill adjourned the meeting at 8:57 PM.

PASSED, APPROVED AND ADOPTED this 4th day of June, 2014.

Brad E. Hill, Mayor

ATTEST:

Estefanie B. Muller, CMC, Clerk-Treasurer

**MINUTES
TOWN OF EDGEWOOD
PLANNING & ZONING COMMISSION MEETING
MAY 20, 2014 AT 6:00 PM
27 E. FRONTAGE ROAD, EDGEWOOD COMMUNITY CENTER**

1) Call to order-Roll call.

Chairman Gabel called the meeting to order at 6:00PM.

Commissioners Present: Brad Gabel, John Carpenter, Krista Cashatt.

Commissioners Absent: Leonard Navarre

Staff present: Kay Davis –McGill, Tracy Sweat, Robert White Town Attorney, Jack Hiatt Attorney.

2) Approve Agenda.

Chairman Gabel indicated he would entertain a motion to approve the Agenda

Commissioner Carpenter made a motion to approve the Agenda; his motion was seconded by Commissioner Cashatt.

Action: Commissioner Cashatt voted aye. Commissioner Carpenter voted aye. Chairman Gabel voted aye. The motion carried.

3) Approve the Minutes of 4/15/2014.

Chairman Gabel asked if there were any changes or corrections to the Minutes; seeing none he called for a motion.

Commissioner Carpenter made a motion to approve the Minutes as presented; his motion was seconded by Commissioner Cashatt.

Action: Chairman Gabel voted aye. Commissioner Carpenter voted aye. Commissioner Cashatt voted aye. The motion carried.

4) Review and Recommendation of the Subdivision and Zoning Ordinance Changes.

Chairman Gabel requested Mr. White discuss the process from this point so the Commission may understand their role and the sequence beyond that.

Mr. White reviewed the process stating the Commission's role was to review and make a recommendation to the Council. Then the Council would hold a public hearing at which the public would be able to provide input.

At this time the Commission, staff, and Counsel entered into a review and discussion of the revised changes to the Zoning Ordinance.

5) Public Comment. Limit to 2 minutes per person. Note: If you plan to speak under Public Hearings, please do not sign up for this topic. There were none.

6) Matters from the Chair and Commission Members.

Chairman Gabel discussed the New Mexico League of Zoning Officials training that he, Ms. Davis-McGill, Ms. Sweat and Commissioner Cashatt attended in Farmington the first part of May. He added that although it was informative, it was geared more towards Code Compliance and Enforcement rather than Planning. Commissioner Cashatt added she enjoyed the opportunity to gain perspective of the whole picture concerning land use.

7) Matters from Staff.

8) Calendar Update.

9) Adjourn.

**TOWN OF EDGEWOOD
ORDINANCE NO. 2014-04**

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF AN ALTERNATE MUNICIPAL JUDGE. BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF EDGEWOOD, NEW MEXICO, AS FOLLOWS:

1. Any qualified elector, as defined by NMSA 1978 § 3-1-2, residing within the Town limits may be appointed to serve as the Alternate Municipal Judge during such time as the Municipal Judge is temporarily incapacitated or absent. During such temporary incapacity or absence, that person shall hear and determine cases arising under the Town's ordinances, while sitting as Alternate Municipal Judge.

2. The Alternate Municipal Judge shall be appointed by the Municipal Judge from a pool of qualified applicants. The Town shall publish a notice in the local newspaper for the solicitation of qualified candidates to submit a letter of interest to serve as Alternate Municipal Judge. All applicants must submit their name, qualifications, and a letter of interest to the Town Clerk's office prior to the time prescribed by the Town Council. The Town Clerk shall verify that each applicant is a qualified elector within the Town's municipal limits, and will notify the Town Council of any applicants who are not qualified electors. The Town Council shall then select up to five (5) names of qualified candidates to be submitted to the Municipal Judge. From this pool of qualified candidates, the Municipal Judge shall appoint any one of these qualified individuals during his/her term to serve as Alternate Municipal Judge. The term for the Alternate Municipal Judge(s) shall coincide with the term of the Municipal Judge.

3. The Alternate Judge will be compensated for hours worked at the rate of \$_____ per hour. Appropriate Per Diem and Mileage rates will apply per the Town of Edgewood Resolution No. 2009-30, adopted by reference, the Department of Finance & Administration Regulations Governing the Per Diem and Mileage Act, adopted July 1, 2009.

APPROVED, ADOPTED AND PASSED this 2nd day of July, 2014.

Brad E. Hill, Mayor

ATTEST:

Estefanie Muller, CMC, Clerk-Treasurer

RESOLUTION NO. 2014-09

AUTHORIZING AND APPROVING SUBMISSION OF A COMPLETED APPLICATION FOR FINANCIAL ASSISTANCE AND PROJECT APPROVAL TO THE NEW MEXICO FINANCE AUTHORITY

WHEREAS, the Town of Edgewood ("Governmental Unit") is a qualified entity under the New Mexico Finance Authority Act, Sections 6-21-1 through 6-21-31, NMSA 1978 ("Act"), and the Town Council ("Governing Body") is authorized to submit an Application (as defined below) for financial assistance for a Planning Document (as defined below) for the benefit of the Governmental Unit; and

WHEREAS, the New Mexico Finance Authority ("Finance Authority") has instituted a program for providing grants to evaluate and estimate the costs of implementing feasible alternatives for meeting water and wastewater public project needs or to develop water conservation plans, long-term master plans, asset management plans or economic development plans and has developed an application procedure whereby the Governing Body may submit an application ("Application") for planning grant financial assistance from the Finance Authority; and

WHEREAS, the Governing Body intends to prepare an asset management plan for the benefit of the Governmental Unit and its citizens; and

WHEREAS, the application prescribed by the Finance Authority has been completed and submitted to the Governing Body and this Resolution approving submission of the completed Application to the Finance Authority for its consideration and review is required as part of the Application.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY:

Section 1. That all actions previously taken by the Governing Body and the Governmental Unit and their respective officers and employees in connection with the Application and the Project are hereby ratified, approved and confirmed.

Section 2. That the completed Application submitted to the Governing Body is hereby approved and confirmed.

Section 3. That the officers and employees of the Governing Body are hereby directed and requested to submit the completed Application to the Finance Authority, and are further authorized to take such other action as may be requested by the Finance Authority in connection with the Application and to proceed with arrangements for financing the Project.

Section 4. All acts and resolutions in conflict with this Resolution are hereby rescinded, annulled and repealed.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED APPROVED AND ADOPTED this 4th day of June, 2014.

Brad E. Hill, Mayor

ATTEST:

Estefanie Muller, Town Clerk-Treasurer

Infrastructure Capital Improvement Plan FY 2014-2018

Edgewood Project Summary

ID	Rank	Project Title	Top 5 Rank	Category	Funding Sources	Funded to date	2014	2015	2016	2017	2018	Total Project Cost	Mos to compl
14443	2014-01	Municipal Arterial Paving Improvement	1	Hiways/Roads/Streets/Bridges	LFUNDS LGRANT LBONDS OTHER	0	1,151,150	800,000	900,000	1,200,000	1,800,000	5,851,150	40
26705	2014-02	Waste Water Line Extension & Effluent Lines	2	Wastewater	LFUNDS LGRANT LBONDS OTHER NONE	0	35,000	2,000,000	1,000,000	0	0	3,035,000	
26812	2014-03	Infrastructure/widening 344/trail/playground	3	Hiways/Roads/Streets/Bridges	LFUNDS LGRANT LBONDS OTHER	0	20,000	55,000	1,000,000	1,000,000	500,000	2,575,000	9
21676	2014-04	Regional Animal Shelter	4	Other	LFUNDS LGRANT LBONDS OTHER NONE	100,000	0	0	375,000	1,000,000	0	1,475,000	11
Grand Totals					Funded to date:	Year 1:	Year 2:	Year 3:	Year 4:	Year 5:	Total Project Cost:		
					100,000	1,206,150	2,855,000	3,275,000	3,200,000	2,300,000	12,936,150		

**AGREEMENT FOR INMATE CONFINEMENT
BETWEEN THE COUNTY OF SANTA FE
AND TOWN OF EDGEWOOD**

THIS AGREEMENT is entered into by and between Santa Fe County, New Mexico, a political subdivision of the State of New Mexico (hereinafter referred to as "the County") and Town of Edgewood, a political subdivision of the State of New Mexico (hereinafter referred to as "the Contractor").

RECITALS

WHEREAS, the Contractor is in need of a facility for the incarceration, care, and maintenance of persons charged with or arrested for a crime within the Contractor's jurisdiction;

WHEREAS, the County owns and operates the Santa Fe County Adult Detention Facility (SFCADF) which has, from time to time, vacant bed space; and

WHEREAS, the County is willing to incarcerate the Contractor's inmates from time-to-time as set forth herein;

NOW, THEREFORE, IT IS MUTUALLY AGREED by both parties as follows:

1. **HOUSING OF PRISONERS.** The County agrees to house persons awaiting indictment or trial on behalf of the Contractor from time-to-time as space is available in the County's SFCADF, upon the conditions and terms set forth below. The Contractor agrees that any such person so housed in the SFCADF is either a person temporarily imprisoned while being conveyed or awaiting conveyance to a county jail in the Contractor's County, or a person whose life is in imminent danger in the present place of incarceration, as specified in NMSA 1978, Sections 33-3-13 (1983) and 33-3-14 (1889), and the Contractor agrees in any event that any persons housed at the SFCADF meet the minimum criteria established by these statutes and Law and agrees to compensate the County for the housing as set forth in the next paragraph.
2. **COMPENSATION.** The Contractor shall pay the County \$85.00 per day for each full or partial calendar day for each Contractor inmate confined at SFCADF. SFCADF has the option to review and increase this Contract upon the anniversary date. .
3. **CONDITIONS OF HOUSING.** The County will house all prisoners consistent with its prevailing policies, post orders and other routine practices,

rate plus the hourly rate for officers providing security during the period of any off-site medical confinement that exceeds 24 hours.

9. **TERM.** This Agreement shall become effective when signed by both parties. The initial term of the Agreement is one year. Unless either party provides sixty (60) days written notice to the other party of its intent not to renew the Agreement, the Agreement will automatically be renewed for a one-year period, not to exceed a total of four years.
10. **TERMINATION.** This Agreement may be terminated by either party upon sixty (60) days written notice to the other party. However, a termination shall not be effective until such time as all of the Contractor's inmates have been removed from SFCADF. By such termination, neither party may nullify obligations already incurred for performance or failure to perform prior to the date of termination. If notice of termination is given by either party, the Contractor must pick up its inmates within the 60-day written notice period or be subject to a charge of (\$255.00) per day beginning on the 61st day. Upon termination of this Agreement, the County is under no obligation to accept the Contractor's inmates.
11. **NO THIRD PARTY BENEFICIARIES.** This Agreement does not create, nor does either party to this Agreement intend to create any right, title, or interest in or for the benefit of any person other than the County or the Contractor, and no person shall claim any right, title, or interest under this Agreement, or seek to enforce this Agreement as a third party beneficiary of this Agreement or otherwise.
12. **INSURANCE.** The County maintains public liability insurance for its operation of the SFCADF. The Contractor shall maintain at all times a policy of public liability insurance (or approved program of self insurance) for its activities under this Agreement.
13. **SUBCONTRACTING.** The County may subcontract services to be performed under this Agreement with advance notice to the Contractor. If a person housed at the SFCADF is transferred to another facility pursuant to a subcontract, the Contractor shall be notified within twenty-four (24) hours of the transfer.
14. **RECORDS AND AUDIT.**
 - A. **County Information.** The County shall maintain detailed records and shall endeavor to ensure that billing statements are accurate and correspond to inmate housing and booking records. Such records shall be subject to inspection by the Contractor, the Department of Finance and Administration and the State Auditor.

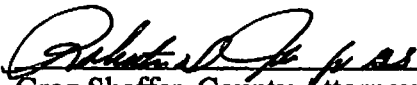
Printed Title of Authorized Signatory

Santa Fe County

Katherine Miller, Manager

Date: _____

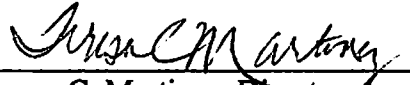
Approved as to form:



Greg Shaffer, County Attorney

Date: 5-28-14

Finance Department



Teresa C. Martinez, Director

Date: 5/22/14